Please find below and/or attached an Office communication concerning this application or proceeding.

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on <u>03 January 2006</u>.
2a) ☐ This action is **FINAL**.   2b) ☒ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) <u>1-23</u> is/are pending in the application.
    4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) <u>1-23</u> is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.
10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
    a) ☐ All   b) ☐ Some * c) ☐ None of:
      1. ☐ Certified copies of the priority documents have been received.
      2. ☐ Certified copies of the priority documents have been received in Application No. _____.
      3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

Detailed Action

Response to Amendment

Claims 1-23 are pending. This action is in response to the amendment received

January 3, 2006.

Response to Arguments

Applicant's arguments with respect to claims 1-723 have been considered but are

moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims **1-23** are rejected under 35 U.S.C. 103(a) as being unpatentable over Zandi

(US 5,966,699) in view of Painter et al. (US 2004/0205019) and further in view of Chien

(US 2002/0120557).

Re claims **1** and **15**, Zandi teaches an auction system comprising (col. 2, lines 12-14):

a section configured to input a plurality of potential lending offers each including a

desired lending amount and a desired lending interest (col. 9, lines 1-32); and

a section configured to perform between the potential borrowing requests and the

potential lending offers on the basis of the respective maximum allowable interests and

desired lending interests and to make the desired lending amount of a potential lending offer

extracted to the desired borrowing amount of a potential borrowing request (col. 5, lines 4-

37).

However, Zandi does not explicitly teach a section configured to input a plurality of

potential borrowing requests each including a desired borrowing amount and a medium

allowable interest. On the other hand, Painter discloses a section configured to input a

plurality of potential borrowing requests each including a desired borrowing amount and a

medium allowable interest (para. 0086 and 0098-0100; figs. 15A15B and 18). Painter·

discloses a low value in a minimum amount field and a maximum amount for the debt to

income ratio in a maximum amount field. In figure 18, Painter discloses the rate based on

the loan amount. Thus, it would have been obvious to one of ordinary skill in the art to

configure a desired borrowing amount and a medium allowable interest based on the

loan requested application as discloses in Painter.

Furthermore, both Zandi and Painter do not explicitly teach a matchmaking section.

On the other hand, Chien discloses a matchmaking section (para. 0026 and 0006-0007).

Chien discloses automatic matching and arbitrations of financing transactions among

members of a financing group. Thus, it would have been obvious to one of ordinary skill in

the art to construct a matchmaking section based on the loan requested application as

discloses in Chien.

Re claims **2** and **14**, Zandi teaches an auction system comprising (col. 2, lines 12-14):

a borrowing request storage section configured to register the potential borrowing

request (fig. 2: _register corresponds to authorizer in order to enter a web auction system_);

a lending intermediacy configured to receive a plurality of potential lending offers each

including a desired lending amount and a desired interest or a rule capable of calculating the

desired interest (col. 9, lines 1-32);

a lending offer storage section configured to register the potential lending offers (fig.

4A); and

a matchmaking section configured to select a set of successful bids in ascending

order of the desired interests from the potential lending offers within a range not more than

the maximum allowable interest until the desired borrowing amount is satisfied (col. 5, lines 4-

37).

However, Zandi does not explicitly teach a borrowing intermediacy section

configured to receive a potential borrowing request including a desired borrowing amount

and a maximum allowable interest. On the other hand, Painter discloses a borrowing

intermediacy section configured to receive a potential borrowing request including a desired

borrowing amount and a maximum allowable interest (para. 0086 and 0098-0100; figs.

15A15B and 18). Painter discloses a low value in a minimum amount field and a maximum

amount for the debt to income ratio in a maximum amount field. In figure 18, Painter

discloses the rate based on the loan amount. Thus, it would have been obvious to one of

ordinary skill in the art to configure a desired borrowing amount and a medium allowable

interest based on the loan requested application as discloses in Painter.

Re claims **3-4, 10-12, 16-17,** and **19-21,** Zandi teaches a background information storage section configured to store background information of the potential borrowing request and a section configured to allow entities of the potential lending offers to read the background information of the potential borrowing request (col. 2, lines 15-61) and a risk calculation section configured to calculate a risk of the potential borrowing request from the background information (col. 8, lines 56-60). *Zandi calculates risk factors by initially denying or accepting the borrower's application for a loan.*

Re claim **5,** Zandi teaches allow entities of the potential lending offers to designate a calculation condition (col. 9, lines 33-48). *Zandi discloses a calculation condition by permitting a lender to withdraw from a previously offer if initial conditions of borrower's are not met.*

Re claims **6-7, 13,** and **18,** Zandi teaches calculate a default rate of the entity of the potential borrowing request on the basis of the accounting information and each of the potential lending offers includes a maximum allowable risk, and the system further comprises a screening section configured to select a potential lending offer for which the risk calculated by the risk calculation section falls within a range of the maximum allowable risk from the potential lending offers (col. 8, lines 1-16).

Re claims **8-9,** Painter teaches a repayment totalizing section configured to calculate a total a repayment amount for each repayment maturity of a single borrower and a dividend calculation/totalizing section configured to calculate a total dividend amount formed from a total of interests and principals for each divided period of a single lender (figs. 18 and 21B).

Re claims **22-23**, Zandi, Painter, and Chien teach a method as claimed in claims 1

and 15 above. Therefore the rationale applied in the rejection of claims 22-23 applies herein.

In addition, Chien discloses a computer readable medium when he discloses a computerized

network (para. 0020-0022 and 0060).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner

should be directed to Thu Thao Havan whose telephone number is (571) 272-8111. The

examiner can normally be reached on Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Vincent Millin can be reached on (571) 272-6747. The fax phone number for the

organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see <http://pair-direct-uspto.gov/>. Should you have questions on access to the

Private PAIR system, contact the Electronic Business Center (EBC) at (866) 217-9197 (toll-

free).

TTH
3/18/2006

HANI M. KAZIMI
PRIMARY EXAMINER